

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JUL 18 2005

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

DON MCKINNEY,
Petitioner,

v.

JUDGE JOHN KILGORE,
Respondent.

Civil Action No. 7:05-cv-00450

DISMISSAL ORDER

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that the above referenced petition for writ of habeas corpus, pursuant to 28 U.S.C. §2254, shall
be and hereby is **DISMISSED** without prejudice and stricken from the active docket of the court.

The Clerk is directed to send a certified copy of this final order and the accompanying
memorandum opinion to the petitioner.

ENTER: This 18th day of July, 2005.

[Signature]
Senior United States District Judge